

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARY WOESSNER,

Plaintiff,

V.

## HOME DEPOT USA, INC.,

Defendant.

CASE NO. 2:22-cv-00275-JHC

ORDER RE: PLAINTIFF'S MOTIONS IN  
LIMINE

This matter comes before the Court on Plaintiff's Motions in Limine. Dkt. # 23. The Court has considered the materials filed in support of, and in opposition to, the motions, as well as the rest of the case file and the applicable law.<sup>1</sup> Being fully advised, the Court ORDERS as follows:

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<sup>1</sup> No reply papers are to be filed in support of motions in limine. LCR 7(d)(4). Although the motions are noted for May 19, 2023, they are fully briefed, and the Court may now rule on them.

Number	Motion Name	GRANTED	DENIED	RULING RESERVED
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	Testimony concerning collateral source benefits (Agreed) Failure to call witnesses (Agreed) Undisclosed expert testimony or undisclosed evidence (Agreed in Part) Reference to prior unrelated injuries, accidents, or medical treatment (Agreed) Alternative causes of injuries (Disputed) Improper arguments regarding damages (Disputed) Suggestion that the accumulation of bird feces on the walkways might not have been slippery enough to cause Plaintiff's fall (Disputed) Suggestions that the Home Depot employees had monitored the area where Plaintiff fell (Disputed) Suggestions that an unnamed party or third party contractor was at fault for or created the condition of accumulation of bird feces causing Plaintiff's fall (Disputed) Home Depot's subsequent remedial measures including posting a warning sign and adding netting must be admitted (Disputed) Suggestions that Plaintiff was contributorily negligent for her fall (Disputed) Use of documents marked as confidential in discovery (Agreed)	X X  X X In part – 3, 4 & 5.  X  X  X  X  X  X		X X  X X In part – 1 & 2.  X  X  X  X  X

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2 Dated this 16th day of May, 2023.  
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John H. Chun  
John H. Chun  
United States District Judge